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**MESSAGE:**

Applicants: Howard Bernstein, Donald E. Chickering, Sarwat Khattak and Julie Straub

Serial No.: 09/731,412

Art Unit: 1617

Filed: December 6, 2000

Examiner: E. J. Webman

For: **MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR  
USE IN DRUG DELIVERY**

ATL1 #611177 v1

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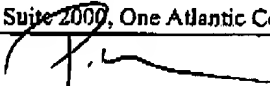
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/731,412
	Filing Date	December 6, 2000
	First Named Inventor	Howard Bernstein
	Group Art Unit	1617
	Examiner Name	E. J. Webman
Total Number of Pages in This Submission	Attorney Docket Number	ACU 105 DIV(2)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fees Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Patrea L. Pabst, Reg. No. 31,284 Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400	
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Date	June 6, 2002	

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

Application Number	09/731,412
Filing Date	December 6, 2000
First Named Inventor	Howard Bernstein
Examiner Name	E. J. Webman
Group Art Unit	1617
Attorney Docket No.	ACU 105 DIV(2)

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☒ Charge fee(s) indicated below ☒ Credit any overpayments  
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**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	166	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
15	20 = 0	0	0
Independent Claims	1 - 3 = 0	0	0
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity/Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	60	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
116	110	216	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	60	123	60	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.128(b))	
178	740	278	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

Name (Print/Type) Patrea L. Pabst

Signature

Registration No. (Attorney/Agent)

31,284

**Complete if applicable**

Telephone (404) 817-8473

Date June 6, 2002

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#10/c  
mp  
6/14/02**AMENDMENT UNDER 37 C.F.R. 1.116  
ART UNIT 1617  
EXPEDITED PROSECUTION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Howard Bernstein, Donald E. Chickering, Sarwat Khattak and Julie Straub

Serial No.: 09/731,412

Art Unit: 1617

Filed: December 6, 2000

Examiner: E. J. Webman

For: *MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS  
FOR USE IN DRUG DELIVERY*Assistant Commissioner for Patents  
Washington, D.C. 20231**AMENDMENT**

Sir:

Responsive to the Office Action mailed May 28, 2002, please amend the application as follows.

**In the Claims**

20. (three times amended) A method for administering a therapeutic or prophylactic agent comprising administering to a patient a matrix for delivery of a therapeutic or prophylactic agent, wherein the matrix is formed of a biocompatible polymer having incorporated therein an therapeutic or prophylactic agent and an effective amount of a hydrophobic or amphiphilic compound to modify the diffusion of water into the matrix and the release of the therapeutic or

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6/26/02  
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